UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/694,157	10/27/2003	Jamie Stephens	263516US8	3024

22850 7590 04/22/2009

OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER	
CHEEMA, UMAR	
ART UNIT	**PAPER NUMBER**
2444	

NOTIFICATION DATE	DELIVERY MODE
04/22/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.com

Office Action Summary	Application No.	Applicant(s)	
	10/694,157	STEPHENS ET AL.	
	Examiner	Art Unit	
	UMAR CHEEMA	2444	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 January 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,6-16 and 18-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,6-16 and 18-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This action is in response to the Amendment filed on 01/15/2009. Claims 1-4, 6-16, and 18-22 are pending with claims 1, 4, 8, and 18 being further amended. Claims 5 and 17 has been cancelled.

Response to Arguments

2. Applicant's arguments with respect to claims 1-4, 6-16, and 18-22 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. **Claims 1-4, 6-16 and 18-22** are rejected under 35 U.S.C. 103(a) as being unpatentable over Ludwig et al. (Ludwig) (US 2003/0225832) in view of Yogeshwar et

al. (Yogeshwar) (US 7,035,468) further in view of Minneman et al. (Minneman) (US 7,174,083) and further in view of Amit et al. (Amit) (US 2002/0032730).

4. Regarding **claim 1**, Ludwig discloses a system for archiving a collaboration over a network, comprising: an input adapter operable to accept the collaboration having plural cotemporaneous media streams, each media stream having different media type and at least one media stream having a different start or stop time from another media stream (see abstract, par. 0041, 0184) over a network interface (see fig. 20, collaboration multimedia workstation software, par. 0122); an archive engine operable to accept the cotemporaneous plural media streams of the collaboration from the input adapter and to format the plural media streams of the collaboration for storage as a session (see par. 0046) by appending each of the plural media streams with time-relationship data that identifies a time relationship between the plural media of the collaboration (see par. 0045-0046); an archive database operable to store the session created by the archive engine; and an output adapter operable to retrieve two or more media streams from an archived session for replay of the collaboration by accessing elements of the stored session in accordance with the time-relationship data (see par. 0042, 0237; fig. 31D (205), audio/video storage server); and a speech recognition engine interfaced with the archive and configured to identify voices associated with an audio media stream and provide a temporal map of speaker identity over the duration of the collaboration based on the identified voices (see par. 0246,0287, 0188-0199, fig. 30 and details associated).

5. Ludwig substantially discloses the invention as claimed but does not explicitly disclose wherein said archiving engine. However in the same field of invention, Yogeshwar discloses an archive engine operable to accept the plural media of the collaboration from the input adapter (see title-abstract, col. 3, lines 20-33). It would have been obvious to one of the ordinary skill person in the art of networking at the time of the invention to combine the teaching of Ludwig with Yogeshwar for archiving and retrieving multimedia collaboration over a network. Motivation for doing so would have been that archiving reduces object maintenance and improves the performance of active data (see Yogeshwar: col. 6, lines 1-3).

6. Ludwig-Yogeshwar substantially disclose the invention for the given reason above but do not explicitly disclose wherein plural cotemporaneous media streams with at least one media stream having a different start or stop time from another media stream. In the same field of invention Minneman discloses wherein plural cotemporaneous media streams with at least one media stream having a different start or stop time from another media stream (see figure 8 and the details related in specification, col. 5, line 58-col. 6, line 12; sequence of events may occur during the recording of an activity). It would have been obvious to one of the ordinary skill person in the art of networking to combine the teaching of Minneman into Ludwig-Yogeshwar for a plural synchronic media streaming.

7. Ludwig-Yogeshwar-Minneman substantially disclose the invention as claimed above but do not explicitly disclose wherein said using voice recognition to identify voices associated with an audio media stream, and providing a temporal map of

speaker identify over the duration of the collaboration based on the identified voices. In the same field of invention Amit discloses wherein said using voice recognition to identify voices associated with an audio media stream, and providing a temporal map of speaker identify over the duration of the collaboration based on the identified voices (see abstract, par. 0016-0020; wherein the audio channel contains an automatic speech recognizer (ASR) as a reading application attached to a Computer Telephony Integration (CTI) Server which identifies the voice of the agent or an answering call-sign of his and conveys an agent identifier associated with the voice to a database connected to the DCS which contains the UID or unique identifier of the computer or browser/browser application of a particular agent. The UID of the client associated with the audio call is also sent to the DCS, either by the CTI server or by another route thus enabling matching of identifiers for co-browsing).

8. It would have been obvious to one of the ordinary skill person in the art of networking to combine the teaching of Amit into Ludwig-Yogeshwar- Minneman for identifying a voice associated with audio media. Motivation for doing so would have been to correlating a data collaboration session between two clients with a unique identifier ID (see Amit: abstract, par. 0016).

9. Regarding **claim 2**, Ludwig discloses the system of claim 1 further comprising a scheduling engine operable to schedule the input adapter for communication with the plural media streams of the collaboration (see fig. 29-Multimedia Document Management, par. 0171, 0172).

10. Regarding **claim 3,** Ludwig discloses the system of claim 1 further comprising a bookmark engine interfaced with the archive engine and operable to set temporal bookmarks in the session (see par. 0174, par. 0208-0209), wherein the output adapter is further operable to retrieve an archived session for replay at a bookmark (see par. 0246, par. 0174, par. 0219).

11. Regarding **claim 4,** Ludwig discloses the system of claim 1, wherein the speech recognition engine is operable to convert audio media stream into a transcript (see par. 0246, fig. 30, par. 0287).

12. Regarding **claim 5,** (Canceled).

13. Regarding **claim 6,** Ludwig discloses the system of claim 1 wherein the plural media stream comprises a visual presentation having plural pages (see par. 0173-0174) and wherein the archive engine is further operable to associate other media stream of the session with a page of the presentation (see fig. 30, par. 0173, par. 0174).

14. Regarding **claim 7,** the combination of Ludwig and Yogeshwar discloses the system of claim 1 wherein the archive engine comprises (see Yogeshwar: abstract): an audio engine operable to format audio information for archiving (see Yogeshwar: fig. 3,col. 11, lines, 17-45); a video engine operable to format video information for archiving (see Yogeshwar: col. 11, lines 17-45, fig. 3); a structured events engine operable to format structured events for archiving; an application specific engine operable to format application specific information for archiving; and a temporal engine operable to append the time-relationship data to each of the plural media streams (see Ludwig: par. 0045-0046, Yogeswar: fig. 2, col. 10, lines 19-44).

15. Regarding **claim 8,** Ludwig discloses a method for archiving a network collaboration comprising: interfacing with the network to receive the network collaboration, the collaboration including plural cotemporaneous media streams, each media stream having different media type and at least one media stream having a different start or stop time from another media stream (see abstract, par. 0041, 0184) plural media streams (see abstract, par. 002); formatting each of the plural media streams for storage as a temporally related session by appending each of the cotemporaneous plural media streams with time-relationship data that identifies a time relationship between the plural media streams of the collaboration (see par. 0045-0046); storing the session in an archive database; retrieving two or more media streams from of the stored session in accordance with the time-relationship data for replay of the collaboration (see par. 0045-0046, 0246, 0174); identifying, using a speech recognition engine interfaced with the archive, voices associated with an audio media stream; and providing a temporal map of speaker identity over the duration of the collaboration based on the identified voices (see par. 0246,0287, 0188-0199, fig. 30 and details associated).

16. Ludwig substantially discloses the invention as claimed for the given reason above but do not explicitly disclose wherein said formatting the multimedia for storage and storing the session in an archive database. However in the same field of invention, Yogeshwar discloses wherein said formatting each of the plural media for storing in an archive database (see abstract, col. 3, lines 20-33). It would have been obvious to one of the ordinary skill persons in the art of networking at the time of the invention to

combine the teaching of Ludwig with Yogeshwar for formatting the multimedia and storing the sessions in an archive database. Motivation for doing so would have been that it helps to manage different formatting files before storing in an archive database (see Yogehwar: col. 3, lines 7-13).

17. Ludwig-Yogeshwar substantially disclose the invention for the given reason above but do not explicitly disclose wherein plural cotemporaneous media streams with at least one media stream having a different start or stop time from another media stream. In the same field of invention Minneman discloses wherein plural cotemporaneous media streams with at least one media stream having a different start or stop time from another media stream (see figure 8 and the details related in specification, col. 5, line 58-col. 6, line 12; sequence of events may occur during the recording of an activity). It would have been obvious to one of the ordinary skill person in the art of networking to combine the teaching of Minneman into Ludwig-Yogeshwar for a plural synchronic media streaming. Motivation for combining Minneman into Ludwig-Yogeshwar would have been that archiving reduces object maintenance and improves the performance of active data (see Yogeshwar: col. 6, lines 1-3).

18. Ludwig-Yogeshwar-Minneman substantially disclose the invention as claimed above but do not explicitly disclose wherein said using voice recognition to identify voices associated with an audio media stream, and providing a temporal map of speaker identify over the duration of the collaboration based on the identified voices. In the same field of invention Amit discloses wherein said using voice recognition to identify voices associated with an audio media stream, and providing a temporal map of

speaker identify over the duration of the collaboration based on the identified voices (see abstract, par. 0016-0020; wherein the audio channel contains an automatic speech recognizer (ASR) as a reading application attached to a Computer Telephony Integration (CTI) Server which identifies the voice of the agent or an answering call-sign of his and conveys an agent identifier associated with the voice to a database connected to the DCS which contains the UID or unique identifier of the computer or browser/browser application of a particular agent. The UID of the client associated with the audio call is also sent to the DCS, either by the CTI server or by another route thus enabling matching of identifiers for co-browsing).

19. It would have been obvious to one of the ordinary skill person in the art of networking to combine the teaching of Amit into Ludwig-Yogeshwar- Minneman for identifying a voice associated with audio media. Motivation for doing so would have been to correlating a data collaboration session between two clients with a unique identifier ID (see Amit: abstract, par. 0016).

20. Regarding **claim 9,** Ludwig discloses the method of claim 8 wherein the plural media streams comprise audio, video and application specific media streams (see abstract, par. 0041-0042).

21. Regarding **claim 10,** Ludwig discloses the method of claim 9 wherein the application specific media stream comprises a shared application document (see par. 0042).

22. Regarding **claim 11,** Ludwig discloses the method of claim 8 wherein the plural media streams comprise a structured events media stream (see fig. 23, par. 0141).

23. Regarding **claim 12,** Ludwig discloses the method of claim 11 wherein the structured events media stream comprises instant messages (see par. 0069).

24. Regarding **claim 13,** Ludwig discloses the method of claim 11 wherein the structured events media stream comprises e-mail (see fig. 2B, par. 0062, par.0238-0239-Multimedia mail).

25. Regarding **claim 14,** Ludwig discloses the method of claim 8 wherein interfacing with the network further comprises initiating communication with an archive engine as an endpoint of the collaboration (see par. 0076, par. 0078).

26. Regarding **claim 15,** Ludwig discloses the method of claim 8 further comprising: inserting a bookmark into the session to provide a temporal reference (see par. 0174, par. 0208-0209); and retrieving the archived session at the temporal reference with the bookmark (see par. 0246, par. 0174, par. 0219).

27. Regarding **claim 16,** Ludwig discloses the method of claim 8 further comprising: transcribing audio media of the collaboration (see par. 0186); and storing the transcribed audio media in the archive temporally related to the audio media (see par. 0187).

28. Regarding **claim 17,** (Canceled).

29. Regarding **claim 18,** Ludwig discloses the method of claim 17 wherein retrieving selected portions further comprises retrieving portions of the collaboration associated with a temporal voice identification (see par. 0216-0217, par. 0288).

30. Regarding **claim 19,** the combination of Ludwig and Yogeshwar wherein Yogeshwar further discloses the method of claim 8 further comprising: associating

temporal display of a document during the collaboration with contemporaneous information of one or more of the plural media streams (see col. 17, lines 36-50); and indexing in the archive the temporal display of the document and the contemporaneous information of the one or more plural media streams (see abstract, col. 1, lines 43-55, col. 2, lines 33-43).

31. Regarding **claim 20,** the combination of Ludwig and Yogeshwar wherein Yogeshwar further discloses the method of claim 19 wherein retrieving selected portions further comprises retrieving the document and the indexed contemporaneous information of the one or more plural media streams (see col. 5, lines 60-65, col. 9, lines 56-63).

32. Regarding **claim 21,** the combination of Ludwig and Yogeshwar wherein Yogeshwar further discloses the method of claim 20 wherein the indexed contemporaneous information comprises audio information (see abstract, col.1, lines 45-55).

Regarding **claim 22,** the combination of Ludwig and Yogeshwar wherein Yogeshwar further discloses the method of claim 20 wherein the indexed contemporaneous information comprises video information (see abstract, col.1, lines 45-55).

Prior Art of the Record

33. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please see the form PTO-892 (Notice of Cited Reference) for a list of more relevant prior arts.

Conclusion

34. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to UMAR CHEEMA whose telephone number is (571)270-3037. The examiner can normally be reached on M-F 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Jr. Vaughn can be reached on 571-272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/U. C./
Examiner, Art Unit 2444
/William C. Vaughn, Jr./
Supervisory Patent Examiner, Art Unit 2444